IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1280/06

Dishum Khudya Bhosale .....Applicant

V/s.

The state of Maharashtra .... Respondent

Ms.Smita Mane for the applicant
Ms.M.H. Mahatre APP for the State

CORAM : V.M. KANADE, J.
DATE : 10/04/06

P.C:

1. Heard the learned Counsel for the applicant and the learned APP for the State.

2. The applicant was arrested on 16/06/05 in connection with C.R.No.25/2005 registered with the Natepute Police Station, Tal.Malshirus, Dist Solapur for the offence punishable U/s.395 r/w 34 of IPC.

3. It is the case of the prosecution that the applicant alongwith others had committed dacoity and had assaulted to the complainant with sticks.

4. Learned Counsel for the applicant seeks bail on the ground of parity. It is submitted that co-

accused was released on bail by this court by order dated 20th January, 2006 in Criminal Application No.8122/05. It is submitted that the role of the present applicant alleged by the prosecution is similar to that of the applicant who was released on bail.

5. I have perused the order dated 20th January, 2006 passed by this court. In my view, the applicant has made out a case for grant of bail on the ground of parity. No test identification parade has been held. No recovery has been made from the present applicant.

6. The applicant, therefore be released on bail in the sum of Rs.5,000/- with one or two sureties in the like amount. The applicant shall report to Natepute Police Station, Tal.Malshirus, District Solapur, twice in a month till the pendency of the trial.

7. The application is disposed of in above terms.

V.M. KANADE, J.